

2.6
10/7/05

BAERVELDT LAW FIRM, L.L.C.

ATTORNEYS AT LAW
566 FIRST CAPITOL DRIVE
ST. CHARLES, MO 63301

EPA Region 5 Records Ctr.



285141

Donald A. Baerveldt, Jr.

Phone: (636) 255-0000

Fax: (636) 947-7365

October 7, 2005

Tom Turner
Associate Regional Counsel
U.S. EPA – Region V
Office of Regional Counsel (C-14J)
77 West Jackson Boulevard
Chicago, IL 60604

Sent via Federal Express Overnight

Re: RRG Clayton Chemical Site (soil removal)

My Client: K&R Wood Products (10,000 gallon PRP list)

Dear Mr. Turner:

I received your letter dated September 27, 2005 on September 28, 2005. Please be advised that Joseph L. Green is no longer representing K&R Wood Products, Inc as he is no longer associated with my law firm.

I am directing this letter to your attention with-in the ten (10) day reply period as set forth in your letter. K&R Wood Products, Inc has ceased doing business and is in the process of filing bankruptcy under Chapter 7. There are several civil judgments against K&R as well as several pending lawsuits. In addition, the proprietor of K&R Wood Products, Inc, James E. Kay, has retained other legal counsel, Alan Walters, to handle claims brought against K&R and Mr. Kay for unpaid payroll taxes due the Internal Revenue Service, and delinquent sales taxes due the Missouri Department of Revenue. Finally, both K&R and Mr. Kay have received notice from the bank holding secured interests on the equipment of K&R and Mr. Kay's personal residence of intent to foreclose on the bank's loan.

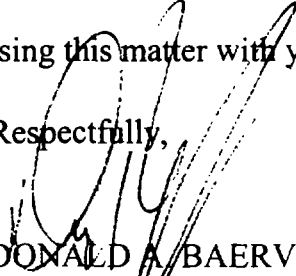
I would be misleading you if I were to advise you that my client was in a position to perform or finance the activities described in your letter. It is not that my client is

Z:\Law\New Data\Clients\K&R.EPA\Ltr.EPA100705.doc

unwilling, rather my client is not able to make the transfers due to the financial downturn of the business and Mr. Kay's personal financial circumstances. I will provide you with whatever information you require in support of the position as stated herein at your request.

I will look forward to discussing this matter with you.

Respectfully,



DONALD A. BAERVELDT, JR.
Attorney at Law

DAB:db